

riages should be solemnized in the face of the Church, but it had never taught that marriages would lack their religious, spiritual, or sacramental character if the religious rites were omitted. One reason the Church desired that all marriages should be submitted to its supervision, was, as we have said, that it might prevent persons entering into or assuming to enter into the marriage state who were incompetent to do so by reason of their relationship to each other, and this was also a reason which approved itself to the temporal rulers, and was apparently one of the reasons for the law of Edmund.

The effect of this was that although a marriage might be valid according to the doctrine of the Church, it would not be declared valid by the Courts Christian in England until it had been duly solemnized *in facie ecclesie*. Until then, the marriage though valid in the eye of the Church would have no civil effects, the wife would not be entitled to dower, nor would the issue of the marriage be regarded in law as legitimate. But it must not be concluded that even in England a marriage by mutual consent, and without religious rites was a mere nullity. On the contrary it was, even there, so binding and indissoluble a contract, that upon its existence being established in the Court Christian it was sufficient ground for annulling a subsequent marriage *in facie ecclesie*, even though followed by cohabitation and the birth of issue. And the Courts Christian in England in such a case would give effect to the prior marriage by ordering it to be solemnized in the face of the Church. And here it is to be remarked that those Courts had no inherent jurisdiction, they owed their existence to temporal au-